

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

TROY E. TILLERSON,

*

Plaintiff,

*

vs.

CASE NO. 3:05-CV-00985-DRB

THE MEGA LIFE AND HEALTH
INSURANCE CORPORATION, a
corporation; TRANSAMERICA LIFE
INSURANCE COMPANY F/K/A PFL
LIFE INSURANCE COMPANY, a
corporation; NATIONAL ASSOCIATION
FOR THE SELF EMPLOYED A/K/A
NASE, a corporation,

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Defendants.

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**NATIONAL ASSOCIATION FOR THE SELF-EMPLOYED, INC.'S
MOTION FOR EXTENSION OF TIME TO FILE REPLY BRIEF**

COMES NOW, defendant National Association for the Self-Employed, Inc. ("NASE"), by and through its undersigned counsel, and moves for an extension of time through January 9, 2006 to file a reply brief to Plaintiff's response to NASE's motion to dismiss. In support hereof, NASE states as follows:

1. On November 15, 2005, John N. Bolus, Esq. of the law firm of Maynard, Cooper & Gale, P.C. in Birmingham, Alabama filed a motion to dismiss and supporting brief in this case on behalf of NASE.
2. On December 5, 2005, undersigned counsel for defendants The MEGA Life and Health Insurance Company and Transamerica Life Insurance Company filed an answer to Plaintiff's complaint on behalf of those two defendants.

3. On December 7, 2005, undersigned counsel filed a motion to substitute counsel for NASE, wherein undersigned and undersigned's law firm were substituted as counsel of record for NASE in lieu of John N. Bolus, Esq. and the law firm of Maynard, Cooper & Gale, P.C.

4. As a result, undersigned counsel was not counsel of record for any party when the Court issued its December 1, 2005 Order setting a briefing schedule on NASE's motion to dismiss and thus was not served with a copy of that Order. Undersigned new counsel for NASE only became aware of such Order this week. In that Order, this Court directed that any reply brief by NASE be filed by December 21, 2005.

5. Undersigned counsel respectfully requests a short extension of time to file a reply brief to Plaintiff's response to NASE's motion to dismiss and submits that granting this extension will not cause any undue delay or undue prejudice to any party as a result thereof, particularly since the hearing before this Court on NASE's motion to dismiss is not scheduled until January 17, 2006.

6. Plaintiff's counsel informed undersigned counsel today that the Plaintiff does not oppose or consent to this request for an extension of time.

WHEREFORE, NASE respectfully requests this Court grant this motion and allow NASE through January 9, 2006 to file a reply to Plaintiff's response to NASE's motion to dismiss.

/s/ Pamela A. Moore

JAMES W. LAMPKIN II (LAMPJ7474)
PAMELA A. MOORE (MOORP5421)
Attorneys for Defendants
The MEGA Life and Health Insurance Company,
Transamerica Life Insurance Company, and
National Association for the Self-Employed, Inc.

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on December 30, 2005, the foregoing document was electronically filed with the Clerk of this Court using the CM/ECF system which will send notification of such filing to the following:

Christopher D. Glover, Esq.
Hollis & Wright, P.C.
505 North 20th Street, Suite 1750
Birmingham, AL 35203

/s/ Pamela A. Moore

COUNSEL